

NOTICE AND AGENDA
Apple Valley Utah
Planning Commission

Public notice is given that the Planning Commission of the Town of Apple Valley, Utah will hold a **Planning Commission Meeting on Wednesday, February 26th, 2020** at the **Apple Valley Town Hall**, 1777 N. Meadowlark Dr., Apple Valley, Utah, commencing at 6:00 PM. or shortly thereafter. In accordance with state statute, one or more members may be connected via speakerphone.

The Agenda for the meeting is as follows:

Call to Order/ Pledge of Allegiance/ Roll Call
Declaration of Conflicts of Interest

APPROVAL OF MINUTES

A. Approval of Minutes for January 22, 2020

DISCUSSION AND ACTION

1. Public Hearing for Zone Change AV-1379-A-1 from Rural Estates RE-2.5 to Commercial C-2
2. Discussion and possible action on zone change application for AV-1379-A-1 from Rural Estates RE-2.5 to Commercial C-2. Applicant My Living LLC, Qaiser and Mary Yusuf
3. Public Hearing for Zone Change AV-1376-L from Open Space to Agricultural
4. Discussion and possible action on zone change application for AV-1376-L from Open Space to Agricultural. Applicant Richard Timpson

ADJOURNMENT

CERTIFICATE OF POSTING: I, Ben Billingsley, as duly appointed Deputy Clerk for the Town of Apple Valley, hereby certify that this notice was posted on the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov on the **20th day of February, 2020**.

Dated this 20th day of February, 2020

Ben Billingsley
Town of Apple Valley

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS and MEETINGS
In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.

OPENING

Co-chairperson Prentice brought the meeting to order at 6:01 p.m. and led the Pledge of Allegiance.

ROLL CALL/PRESENT

Commissioner Angell
Commissioner Prentice
Commissioner Jorgensen
Commissioner Zaharias
Commissioner Fralish

Deputy Clerk Ben Billingsley

DISCUSSION AND ACTION

1. NOMINATION AND APPOINTMENT OF CHAIRPERSON

Janet Prentice opened the discussion. Wenn Jorgensen nominated Janet Prentice to be the chairperson

MOTION:	Planning Commissioner Jorgensen moves to nominate Janet Prentice to be the Chairperson.	
SECOND:	Commissioner Fralish	
VOTE:	Chairperson called for a vote:	
	Chairperson Angell	Aye
	Commissioner Prentice	Aye
	Commissioner Jorgensen	Aye
	Commissioner Zaharias	Aye
	Commissioner Fralish	Aye

2. NOMINATION AND APPOINTMENT OF CO-CHAIRPERSON

Chairperson Prentice nominates Allen Angell as Co-chair.

MOTION:	Chairperson Prentice moves to nominate Allen Angell as Co-Chairperson.	
SECOND:	Commissioner Zaharias	
VOTE:	Chairperson called for a vote:	
	Chairperson Angell	Aye
	Commissioner Prentice	Aye
	Commissioner Jorgensen	Aye
	Commissioner Zaharias	Aye
	Commissioner Fralish	Aye

3. PUBLIC HEARING – AV-1335 from Commercial C-2 to Recreational Vehicle Park Zone – Applicant Aaron Stout

Aaron Stout acknowledged the code requiring 10 acres. The current 2 parcels had been a single parcel, and in order to provide better access, the property owners donated a section of land which segregated the parcels. The code does not indicate the parcel must be contiguous. Aaron mentions that there is an accommodation in the code which allows an RV park less than 10 acres. He mentions this would include approximately 50 RV parking spots and it would be operated with Gooseberry Lodges.

Chairperson Prentice states that the General Plan states RV parks should be located near highway access, but not near residential areas.

Commissioner Angell states that the intent of the code is that an RV park may be less than 10 acres if it is combined with another project such as tiny homes the total land is 10 or more acres.

The approval of an RV park near the Chevron is discussed.

Commissioner Fralish is concerned that it is too close to residential property.

Aaron states that all codes were followed in laying out the proposed RV park. He acknowledges that it is close to homes, but due to the grade of the parcel, it would drop the elevation 7-8’.

Commissioner Angell states that it is so far from the code that he finds it difficult for the Commission to find a way to approve the proposal. He also inquires if it would be possible to acquire an additional 5 acres to the southeast. Aaron responds that he’s not sure that would be approved as well.

Chairperson Prentice Opens the Public Hearing-

Craig Rosequist is the property owner directly adjacent to the proposed zone change. He is concerned with noise pollution, barbecues, additional traffic from a transient population.

Richard Ososki states that as a resident of 10 years he is against the proposal. He mentions that he can spot each cabin from his home in Gooseberry. He also mentions light pollution from cars coming and going. Aaron responds that the zoning is already commercial and will have traffic and noise.

Rich Kopp states concern with traffic on the highway.

Joan Dineen asks what Zions Tiny Getaway is. Mayor Lisonbee clarifies that it is a tiny home project that was approved under Mayor Moser. Joan then asks for clarification regarding the contiguous nature of the two properties split by the road, thereby reducing the size of the total parcel. She states Aaron is being penalized because they split the two lots to build a road for the town. Joan states that she is interested in maintaining property rights especially when it will bring business to this town and is as low profile as this would be. She would also like to know who the numerous neighbors are against this project. She believes or understands that a couple of town council members have gone door to door to gather a petition against this project. She mentions Debbie Kopp and Denny Bass doing this. Aaron mentions as well that there were several residents that mentioned people from the town council that had done this.

Richard Fischer states that they are two separate pieces of property that do not connect. He also states that the turn lanes were installed for another project that he is taking the benefit of, and the ingress and egress lanes are not long enough according to DOT with trailers.

Vernae Hanson states that a petition was brought to her home that was not part of the council.

Robert Campbell believes this is a difficult neighborhood to place such a project with narrow roads and he doesn't agree with Aaron's proposal.

Pam Quayle would like to support the Commission in following zoning regulations and she doesn't believe this fits the code.

Commissioner Fralish mentions the ongoing effort to clean up the code.

Chairperson Prentice closes public comments

4. Discussion and possible action for zone change of AV-1335 from Commercial C-2 to Recreational Vehicle Park Zone – Applicant Aaron Stout

MOTION: Chairperson Fralish moves to table discussion on AV-1335 from commercial to recreational.
SECOND: Chairperson Prentice
VOTE: Chairperson called for a vote:
Chairperson Angell Aye
Commissioner Prentice Aye
Commissioner Jorgensen Aye
Commissioner Zaharias Aye
Commissioner Fralish Aye

The vote was unanimous and the motion carried

5. Discussion and possible action for lot line adjustment on AV-1338-H-1 – Applicant Robert Campbell.

MOTION: Commissioner Zaharias moves to approve this
SECOND: Commissioner Angell
VOTE: Chairperson called for a vote:
Chairperson Angell Aye
Commissioner Prentice Aye
Commissioner Jorgensen Aye
Commissioner Zaharias Aye
Commissioner Fralish Aye

The vote was unanimous and the motion carried

6. Discussion and Possible Action on Shipping Containers

Chairperson Prentice mentions the results of the survey and that some want them more than others.

MOTION: Chairperson Prentice moves to table this item and have a work meeting on this subject with members of the Planning Commission.
SECOND: Commissioner Zaharias
VOTE: Chairperson called for a vote:
Chairperson Angell Aye
Commissioner Prentice Aye
Commissioner Jorgensen Aye
Commissioner Zaharias Aye
Commissioner Fralish Aye

APPROVAL OF MINUTES

A. Approval of Minutes for 9.25.2019

MOTION: Commissioner Fralish moves to approve minutes for 9.25.2019
SECOND: Chairperson Prentice
VOTE: Chairperson called for a vote:
Chairperson Angell Aye
Commissioner Prentice Aye
Commissioner Jorgensen Aye
Commissioner Zaharias Abstain
Commissioner Fralish Aye

B. Approval of Minutes for 12.11.2019

MOTION: Chairperson Prentice moves to approve the minutes for 12.11.2019
SECOND: Commissioner Fralish
VOTE: Chairperson called for a vote:
Chairperson Angell Aye
Commissioner Prentice Aye
Commissioner Jorgensen Aye
Commissioner Zaharias Abstain
Commissioner Fralish Aye

ADJOURNMENT

MOTION: Chairperson Prentice moves to adjourn
SECOND: Commissioner Fralish
VOTE: Chairperson called for a vote:
Chairperson Angell Aye
Commissioner Prentice Aye
Commissioner Jorgensen Aye
Commissioner Zaharias Abstain
Commissioner Fralish Aye

The vote was unanimous and the motion carried

Meeting adjourned at 6:39 pm.

Date approved: _____

Chairperson

ATTEST BY: _____
Ben Billingsley, Deputy Clerk



Town of Apple Valley

1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

Fee: \$500.00 + Acreage Fee
1 – 100 Acres: \$50.00/Acre
101 – 500 Acres: \$25.00/Acre
501 + Acres: \$10/Acre

Zone Change Application

Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting

Name: MY Living LLC / Kaiser & Mary J Yusuf		Phone: 832-315-1363 / 713-855-5631	
Address: 5348 Vegas Dr #1350		Email: maryjyusufpt@aol.com	
City: Las Vegas	State: NV	Zip: 89108	
Agent: (If Applicable)		Phone:	
Address/Location of Property: AV-1379-A-1 Canaan Way, Apple Valley, UT 84737		Parcel ID:	
Existing Zone: Greenbelt		Proposed Zone: Commercial C-2	
Reason for the request: We're in the process of buying this land along Hwy 59. We plan on building a small hotel and nightly rental cottages. We would therefore want it rezoned for commercial use.			

Submittal Requirements: The zone change application shall provide the following:

- ☒ A. The name and address of every person or company the applicant represents
- ☒ B. An accurate property map showing the existing and proposed zoning classifications
- ☒ C. All abutting properties showing present zoning classifications
- ☒ D. An accurate legal description of the property to be rezoned
- ☒ E. Stamped envelopes with the names and address's of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- ☒ F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property

Note: To avoid delays in processing your Zone Change request, it is important that all applicable information noted above, along with the fee, is submitted with the application. An incomplete application will not be scheduled for the Planning Commission. Planning Commission meetings are held on the second and fourth Wednesday of each month at 6:00 pm. Submission of a completed application does not guarantee your application will be placed on the next PC meeting agenda. It may be placed on the next available PC meeting agenda.

Official Use Only	
Date Received: 1/29/20	By: Ben Boly
Date Application Deemed Complete: 1/30/20	By: Ben Boly

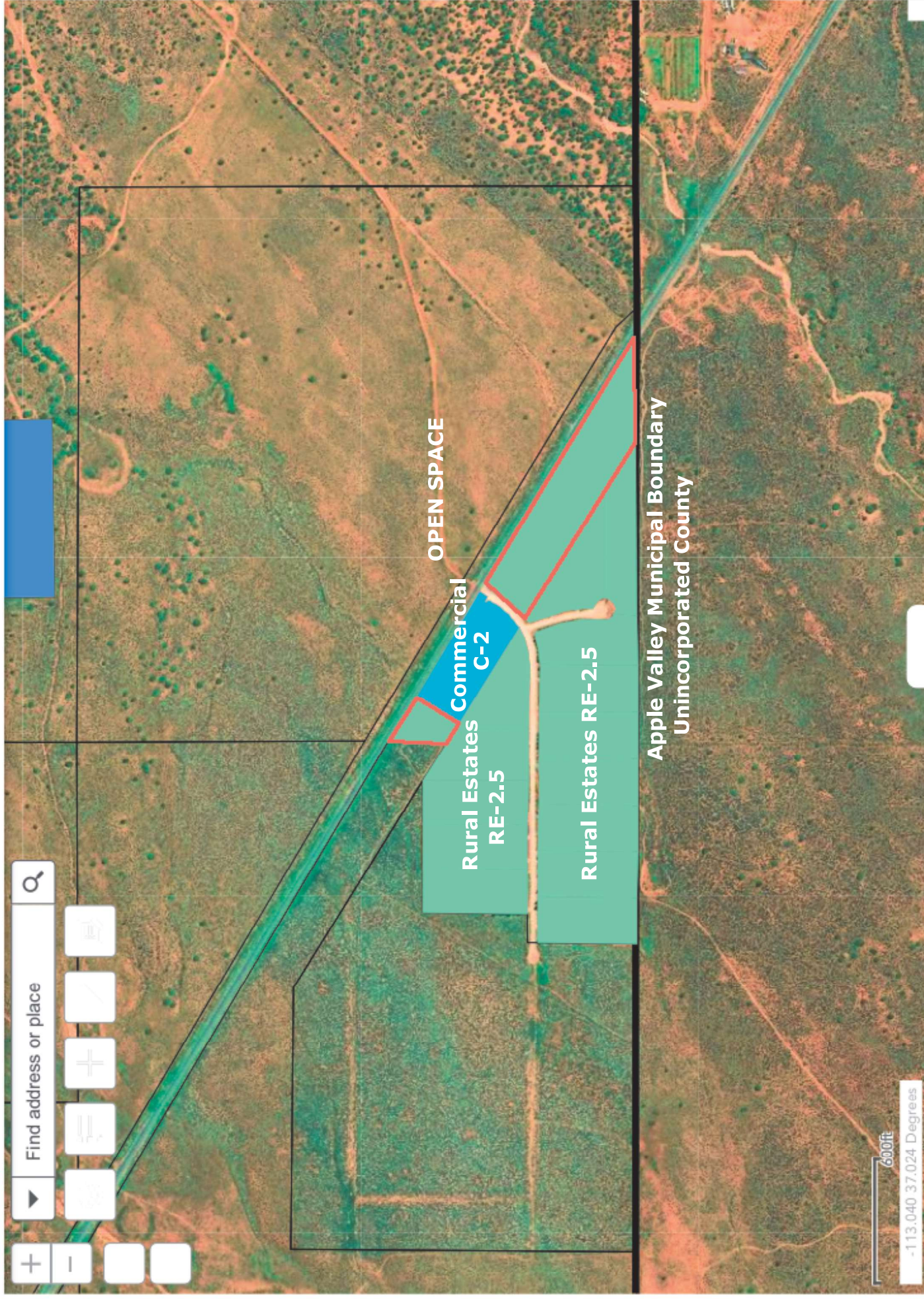
Proposed Future Commercial Development for AV-1379-A-1 Canaan Way Request for Re zoning from current Greenbelt to C2 Commercial Zoning

Hotel and Cottages



- Hotel
- Chapel
- Swimming pool
- Cottages (Artificial grass)
- Tennis Court
- Basketball Court
- Paved road / walkway

NOTE: The remaining less than one (1) acre land will be held for future commercial development.



**AFFIDAVIT
PROPERTY OWNER**

STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

I (We) _____, being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

Property Owner

Property Owner

Subscribed and sworn to me this _____ day of _____, 20____.

Notary Public

Residing in: _____

My Commission Expires: _____

AGENT AUTHORIZATION

I (We), Kendra Webb/Kental LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Kendra Webb to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Kendra Webb
Property Owner

Property Owner

Subscribed and sworn to me this 30th day of January, 2020.

Stephanie Hernandez
Notary Public



Residing in: Phoenix, AZ Maricopa County

My Commission Expires: 12.6.2022



Yusuf 500' Mailing List



Legend

Municipalities

Parcels

Ownership

- U.S. Forest Service
- U.S. Forest Service Wilderness
- Bureau of Land Management
- Bureau of Land Management Wildlife
- National Park Service
- Shivwits Reservation
- Utah Division of Wildlife Resources
- Utah Division of Transportation
- State Park
- State of Utah
- Washington County
- Municipally Owned
- School District
- Privately Owned
- Water
- Water Conservancy District
- State Assessed Oil and Gas
- Mining Claim

Notes



DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

1,504.7 0 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

MACPHERSON IDA M
AV-CAME-13
2357 E CANAAN WAY
APPLE VALLEY, UT 84737-4823

COX BRYAN
AV-CAME-5
2446 E CANAAN WAY
APPLE VALLEY, UT 84737-4840

KENSTAL LLC
AV-1379-A-1
2221 E WELDON AVE
PHOENIX, AZ 85016

COX A BRYAN
AV-CAME-4
2446 E CANAAN WAY
APPLE VALLEY, UT 84737-4840

OUR KING OF KINGS LLC
1380-B
PO BOX 1821
COLORADO CITY, AZ 86021

COX KATHRYN, ET AL
AV-CAME-3
PO BOX 840579
HILDALE, UT 84784-0579

STEED CHARLES
AV-CAME-2
2763 S SHILO RD
HURRICANE, UT 84737

KBGD INC
AV-1379-D
71 N 150 W
HURRICANE, UT 84737

KENSTAL LLC
AV-1378-Q
2221 E WELDON AVE
PHOENIX, AZ 85016

ESPLIN CATTLE CO
1380-A
867 LIZZIE LN
SAINT GEORGE, UT 84790

YOUNGER KENNETH WILLIAM & ADELE EMILY
AV-CAME-11
17764 VIA SEGUNDO
SAN LORENZO, CA 94580

MCM LAND & DEV LLC, ET AL
AV-1379-C
PO BOX 1827
SAINT GEORGE, UT 84771-1827

2386 EAST CANAAN WAY LLC
AV-CAME-6
3225 MCLEOD DR STE 777
LAS VEGAS, NV 89121

JESSOP RAYMOND L
AV-CAME-1
2783 S SHILO RD
HURRICANE, UT 84737

KENSTAL LLC
AV-1378-A
2221 E WELDON AVE
PHOENIX, AZ 85016

PRUITT DENNIS L & MARY CATHERINE TRS
AV-CAME-12
461 LAMOILLE CANYON RD # 3
SPRING CREEK, NV 89815

RICHTER HYRUM
AV-CAME-10
PO BOX 134
COLORADO CITY, AZ 86021-0134

UTAH DEPT OF TRANSPORTATION
1380-C
PO BOX 141210
SALT LAKE CITY, UT 84114-1210

KENSTAL LLC
AV-1378-C
2221 E WELDON AVE
PHOENIX, AZ 85016



Town of Apple Valley

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Fee: \$500.00 + Acreage Fee
1 – 100 Acres: \$50.00/Acre
101 – 500 Acres: \$25.00/Acre
501 + Acres: \$10/Acre

Paid \$1500 receipt 28165

Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting			
Name: <u>RICHARD TIMPSON</u>		Phone: <u>435-467-8276</u>	
Address:		Email:	
City: <u>Apple Valley</u>	State: <u>Ut</u>	Zip: <u>84737</u>	
Agent: (If Applicable)		Phone:	
Address/Location of Property:		Parcel ID: <u>AV-1376-L</u>	
Existing Zone: <u>Open Space</u>		Proposed Zone: <u>Agriculture</u>	
Reason for the request <u>All purpose Buildings etc</u>			

Submittal Requirements: The zone change application shall provide the following:

- ☒ A. The name and address of every person or company the applicant represents
- ☒ B. An accurate property map showing the existing and proposed zoning classifications
- ☒ C. All abutting properties showing present zoning classifications
- ☒ D. An accurate legal description of the property to be rezoned
- ☒ E. Stamped envelopes with the names and address's of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- ☒ F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property

Note: To avoid delays in processing your Zone Change request, it is important that all applicable information noted above, along with the fee, is submitted with the application. An incomplete application will not be scheduled for the Planning Commission. Planning Commission meetings are held on the second and fourth Wednesday of each month at 6:00 pm. Submission of a completed application does not guarantee your application will be placed on the next PC meeting agenda. It may be placed on the next available PC meeting agenda.

Official Use Only	
Date Received: <u>2/11/2020</u>	By: <u>Ben Billingsley</u>
Date Application Deemed Complete: <u>2/11/2020</u>	By: <u>Ben Billingsley</u>

Account 0698509

<u>Location</u>	<u>Owner</u>	<u>Value</u>	
Account Number 0698509	Name HAYDEN H STEVE & BARBARA TRS	Market (2019)	\$80,000
Parcel Number AV-1376-L	2483 S 1200 E	Taxable	\$220
Tax District 45 - Apple Valley Town	APPLE VALLEY, UT 84737-4854	Tax Area: 45	Tax Rate:
Acres 20.00			0.009803
Situs 0, 0		Type Actual	Assessed Acres
Legal S: 22 T: 43S R: 11W S1/2 SW1/4 NE1/4		Farm	
SEC 22 T43S R11W SLM		Land \$80,000	\$220 20.000
Parent Accounts 0359789		FAA	
Parent Parcels 1376-C			
Child Accounts			
Child Parcels			
Sibling Accounts			
Sibling Parcels			

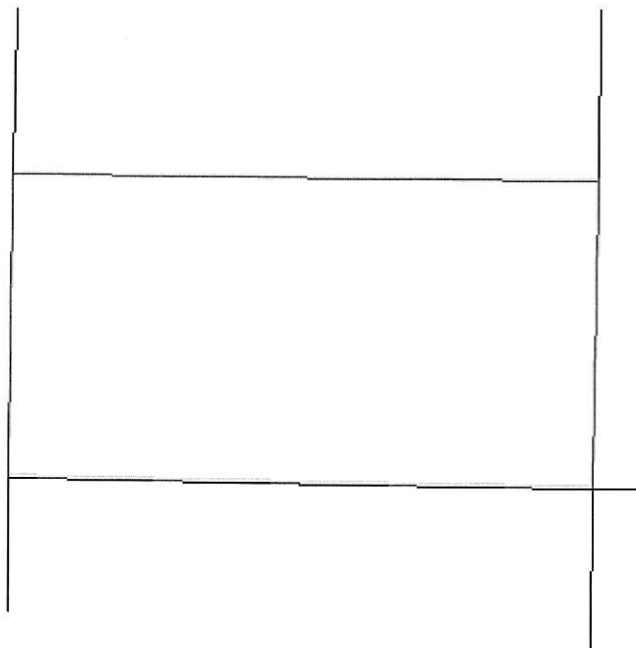
Transfers

<u>Entry Number</u>	<u>Recording Date</u>	
<u>00836886</u>	<u>08/25/2003 03:17:00 PM</u>	<u>B: 1576 P: 502</u>
<u>00847549</u>	<u>10/27/2003 01:26:00 PM</u>	<u>B: 1591 P: 1836</u>
<u>00852623</u>	<u>11/21/2003 11:20:00 AM</u>	<u>B: 1597 P: 2523</u>
<u>20110031703</u>	<u>10/18/2011 02:16:28 PM</u>	
<u>20110031704</u>	<u>10/18/2011 02:16:28 PM</u>	
<u>20140031431</u>	<u>10/14/2014 02:17:58 PM</u>	
<u>20170013473</u>	<u>04/03/2017 08:12:01 AM</u>	
<u>20170013475</u>	<u>04/03/2017 08:12:01 AM</u>	
<u>20170052386</u>	<u>12/27/2017 08:17:40 AM</u>	
<u>20170052599</u>	<u>12/28/2017 10:21:01 AM</u>	
<u>20190000956</u>	<u>01/09/2019 11:15:43 AM</u>	

"Tax"Images

<u>Tax Year</u>	<u>Taxes</u>
2019	\$2.16
2018	\$2.52

- GIS





WGS_1984_Web_Mercator_Auxiliary_Sphere

☐ Parcels

Ownership

U.S. Forest Service

U.S. Forest Service Wilderness

Bureau of Land Management

Bureau of Land Management Wildlife

National Park Service

Shivwits Reservation

Utah Division of Wildlife Resources

Utah Division of Transportation

—

1000

11010

Washington County

Municipally Owned

School District

Privately Owned

Water

Water Conservancy District

State Assessed Oil and Gas

Mining Claim

Notes



PERRY MARCELLA, ET AL
AV-1376-I
407 CAMBELL CT
RICHARDSON, TX 75080

HAYDEN H STEVE & BARBARA TRS
AV-1376-F
2483 S 1200 E
APPLE VALLEY, UT 84737-4854

HAYDEN H STEVE & BARBARA TRS
AV-1376-L
2483 S 1200 E
APPLE VALLEY, UT 84737-4854

R & R PARTNERSHIP
AV-1376-D
1305 FARVIEW LN
REDLANDS, CA 92374-6336

R & R PARTNERSHIP
AV-1376-C
1305 FARVIEW LN
REDLANDS, CA 92374-6336

R & R PARTNERSHIP
AV-1376-J
615 BROOKSIDE AVE # A
REDLANDS, CA 92373-4670

**AFFIDAVIT
PROPERTY OWNER**

STATE OF UTAH)
)§
COUNTY OF WASHINGTON)

I (We) _____, being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

Property Owner

Property Owner

Subscribed and sworn to me this _____ day of _____, 20____.

Notary Public

Residing in: _____

My Commission Expires: _____

AGENT AUTHORIZATION

I (We), Steve + Barbara Hayden, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Steve Hayden
Property Owner

Barbara Hayden
Property Owner

Subscribed and sworn to me this 12th day of November, 2019.

Ben Billingsley
Notary Public

Residing in: Washington

My Commission Expires: Aug 23 2023

